

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: REQUEST FOR JUDICIAL  
ASSISTANCE FROM THE 29TH CIVIL  
JUDGE FOR WRITTEN TRIALS OF THE  
SUPREME TRIBUNAL OF JUSTICE OF  
MEXICO CITY, MEXICO IN THE  
MATTER OF IFM GLOBAL  
INFRASTRUCTURE FUND

Case No. [23-mc-80084-DMR](#)

**ORDER TO FILE RESPONSE TO  
APPLICATION FOR DISCOVERY  
PURSUANT TO 28 U.S.C. § 1782**

Petitioner United States of America filed an ex parte application for an order pursuant to 28 U.S.C. § 1782 to execute a Letter of Request from judicial authorities in Mexico City, Mexico for international judicial assistance to obtain certain information and documents in connection with a civil judicial proceeding pending in Mexico, *IFM Global Infrastructure Fund, et al. v. Paulo Jenaro Diez Gargari*. The application seeks an order appointing an Assistant United States Attorney as Commissioner to issue subpoenas to Google LLC, Twitter, Inc., and Automattic Inc. [Docket No. 1.]

After Petitioner filed the application, the defendant in the underlying action, Paulo Jenaro Diez Gargari, sent a letter to the court and the parties in which he asserts that the section 1782 application is based on “false information” for various reasons. [Docket No. 20.] X Corp., successor in interest to Twitter, filed a response to the application in which it contends that Mr. Gargari’s “serious allegations of impropriety must be addressed prior to any resolution of the government’s [section] 1782 application.” It asks the court to stay its obligations to provide a position on the section 1782 application pending resolution of Mr. Gargari’s allegations. [Docket No. 8.] The court ordered the government to file a response to Mr. Gargari’s letter and X Corp.’s response. [Docket No. 21.]

The government timely filed a response and submitted a letter from the Mexican Central Authority's Director of International Cooperation describing the issues raised by Mr. Gargari as "transcription errors." [Docket No. 22.] The government subsequently filed a letter from the requesting court in Mexico describing the same issues as "involuntary errors." [Docket No. 23.]

At this stage the court is satisfied with the government's response to Mr. Gargari's allegations of impropriety. Accordingly, X Corp. shall file any response to the government's section 1782 application by no later than December 29, 2023.

**IT IS SO ORDERED.**

Dated: December 21, 2023

